PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT JAN 2005

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23 -08- 2004
Sign.:

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Rule 71.1)

Date of mailing *(day/month/year)*	20.08.2004
Applicant's or agent's file reference 01-1748-03-Ce	**IMPORTANT NOTIFICATION**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/CZ 03/00045	11.08.2003	13.08.2002

Applicant
DVORAK, Lubomir

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:	Authorized Officer
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

JAN 2005

Applicant's or agent's file reference 01-1748-03-Ce	**FOR FURTHER ACTION**	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/CZ 03/00045	International filing date *(day/month/year)* 11.08.2003	Priority date *(day/month/year)* 13.08.2002
International Patent Classification (IPC) or both national classification and IPC A01D34/68		
Applicant DVORAK, Lubomir		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

   ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

   These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:

   - I ☒ Basis of the opinion
   - II ☐ Priority
   - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
   - IV ☐ Lack of unity of invention
   - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
   - VI ☐ Certain documents cited
   - VII ☐ Certain defects in the international application
   - VIII ☐ Certain observations on the international application

Date of submission of the demand	Date of completion of this report
12.02.2004	20.08.2004
Name and mailing address of the international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Bunn, D Telephone No. +49 89 2399-2086

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/CZ 03/00045

I. Basis of the report

1. With regard to the **elements** of the international application *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17))*:

Description, Pages

1-24 as originally filed

Claims, Numbers

1-13 received on 03.05.2004 with letter of 03.05.2004

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

   These elements were available or furnished to this Authority in the following language: , which is:

   ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).

   ☐ the language of publication of the international application (under Rule 48.3(b)).

   ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

   ☐ contained in the international application in written form.

   ☐ filed together with the international application in computer readable form.

   ☐ furnished subsequently to this Authority in written form.

   ☐ furnished subsequently to this Authority in computer readable form.

   ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

   ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

   ☐ the description, pages:

   ☐ the claims, Nos.:

   ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

   (Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-13
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-13
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-13
	No:	Claims	

2. Citations and explanations

   see separate sheet

V. Reasoned statement

1. Claim 1 is a combination of originally filed claims 1 & 2, wherein the word order of original claim 1 (corresponding to lines 1-12 of newly introduced claim 1) has been amended such that the feature "said travelling wheels" (l.5) is introduced without any previous mention thereof. In order to avoid clarity problems, the originally filed version of claim 1 is used in this communication.
   Furthermore, newly-filed claim 1 speaks of "a transmission disc (6) for travelling wheel (2) drive" (l.13-14) and "a transmission disc (7) for travelling wheel (2) turning" (l.16). In this respect it is noted that reference signs have no limiting effect upon the scope of a claim. To avoid ambiguity (cf. Article 6 PCT), it is suggested that said discs be designated as first and second transmission discs.

2. US-A-5 090 185 (D1) discloses a travelling device comprising a frame 20, flexibly suspended wheels 82 rotating on their vertical axes in an unlimited angular range of 360° as well as on their horizontal axes, a motor unit 12 with drive shaft 16, a working device 64, transmission discs 76 for travelling wheel turning girded by a transmission member 84 guided over a driving roller 86 (see, in particular, col.4, l.9-38). Wheel drive, on the other hand, is accomplished by means of a hydraulic motor 80 provided at each wheel 82.
   There is no prior art teaching for the differentiating features of claim 1 whereby wheel drive is effected by means of transmission discs (6) connected with each wheel (2) by a transmission device (14), and wherein all discs are connected with moving off device (8) on drive shaft (13) by means of transmission members (9).

3. The following points are also to be noted:
   a) Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in D1 is not mentioned in the description, nor is this document identified therein;
   b) The description is not in conformity with the claims, Rule 5.1(a)(iii) PCT;
   c) Claim 1 is not in two-part form, Rule 6.3(b) PCT, with those features known in combination from D1 forming the preamble and the remaining features forming the characterising part;
   d) The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

C L A I M S

1. Travelling device (20) particularly for self-propelled mower, said travelling device (20) comprises a frame (1) provided with several identical travelling units (21) arranged on its circumference, each travelling unit (21) comprises a flexibly suspended travelling wheel (2) rotating on its horizontal and vertical axes, wherein a motor unit (3) with a driving shaft (13) is arranged on said frame (1) for driving a working device and said travelling wheels (2), c h a r a c t e r i z e d i n t h a t said travelling wheels (2) are arranged in said travelling units (21) turnably on vertical axis in an unlimited angular range of 360°.

2. Travelling device (20) according to claim 1, c h a r a c t e r i z e d i n t h a t each travelling unit (21) further comprises a transmission disc (6) for travelling wheel (2) drive connected with said travelling wheel (2) by means of a transmission device (14), and a transmission disc (7) for travelling wheel (2) turning, wherein all transmission discs (6) for travelling wheel (2) drive are connected with a moving off device (8), arranged on said driving shaft (13), by means of transmission members (9) for travelling wheel (2) drive, and all transmission discs (7) for travelling wheel (2) turning are girded by a transmission member (12) for travelling wheels (2) turning guided over a driving roller (11).

3. Travelling device (20) according to claims 1 and 2, characterized in that each transmission disc (6) for travelling wheel (2) drive is positioned horizontally and is turnable on its vertical axis.

4. Travelling device (20) according to claims 1 and 2, characterized in that each transmission disc (7) for travelling wheel (2) turning is positioned horizontally and is turnable on its vertical axis.

5. Travelling device (20) according to any of claims 1 to 4, characterized in that said transmission member (9) for travelling wheel (2) drive comprises an endless flexible member.

6. Travelling device (20) according to any of claims 1 to 4, characterized in that said transmission member (12) for travelling wheel (2) turning comprises an endless flexible member.

7. Travelling device (20) according to any of claims 1 to 4, characterized in that said transmission member (12) for travelling wheel (2) turning comprises gears.

8. Travelling device (20) according to any of claims 1 to 4, characterized in that said transmission member (12) for travelling wheel (2) turning comprises Cardan shafts.

9. Travelling device (20) according to any of claims 1 to 8, characterized in that auxiliary guide rollers (11a) for guiding transmission member (12) for travelling wheels (2) turning are further arranged on said frame (1).

10. Travelling device (20) according to any of claims 1 to 9, characterized in that a control unit (22) interconnected with driving servomotor (15) and steering servomotor (10) for travelling wheels (2) turning is further arranged on said frame (1).

11. Travelling device (20) according to claim 10, characterized in that said control unit (22) is remote-controlled.

12. Travelling device (20) according to claim 11, characterized in that said control unit (22) is remote-controlled by means of transmitter (23) for transmitting radio signals or optical signals.

13. Travelling device (20) according to any of claims 1 to 10, characterized in that a seat and a control panel are arranged on said frame (1).

14. Travelling device (20) according to any of claims 1 to 13, characterized in that said travelling units (21) are particularly four.